IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 6912 of 2007(W)

PETITIONER:

MOAL KERALA NIRTROUS LIMITED,
REGISTERED OFFICE AT KANJIKODE, PALAKKAD,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
SRI. R.RAMRAJ.

BY ADV. SRI.B.S.KRISHNAN (SR.)
SRI.K.ANAND (A.201)
SMT.LATHA KRISHNAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, REVENUE (L) DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE, PALAKKAD.

BY GOVT.PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL.B.RADHAKRISHNAN.J

W.P(C) No. 6912 of 2007

Dated this the 1st day of March 2007

JUDGMENT

The petitioner's complaint is that he was not issued a pre-decisional notice and the person to whom it was addressed died five years ago . The impugned order discloses certain reasons for the decision for resumption of the land. Under such circumstances it is directed that if the petitioner places objections to the decision under Ext.P3, that shall be considered by treating Ext.P3 as a tentative decision and a final decision shall be rendered within a period of three weeks from the date of filing of such objections to Ext.P3. Until such decision taken, the petitioner shall not be dispossessed. However the petitioner is directed not to do any improvement or cause any damage to the property until then. The petitioner shall file an affidavit regarding the death of the person in whose name the notice was issued.

THOTTATHIL.B.RADHAKRISHNAN.JUDGE

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